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Travis County District Attorney Rosemary Lehmberg today released the following statement:

Today a Travis County Grand Jury no billed APD Officer Derrick Bowman in the shooting death of 16 year old Devin Albert Contreras in south Austin on October 1, 2010. Bowman and two other APD officers responded to a burglary alarm call at the Big Lots store on William Cannon just before 6 a.m.

Upon arrival, Bowman went to the back of the store and the other officers, Gordon Neils and Christopher Chandler, stayed at the front part of the store. Officer Chandler saw two suspects, one wearing a red hoodie with a red bandana over his face, and another wearing a gray hoodie, inside the store. Surveillance video from inside the store shows both suspects in the cash register areas prior to the arrival of the officers.

The suspect in the red hoodie saw Officer Chandler through the store window and made a movement with his hands toward the front pockets of his hoodie that made Officer Chandler think he might be armed. This suspect then started toward the back of the store. Chandler relayed this information to Officer Bowman who was still in the alley behind the store.

What happened next is caught on the in-car camera of Officer Bowman's unit in the alley: Bowman walks to the back door but hearing from officers in the front of the store that a subject was headed to the back and might be armed, he then took cover on the front passenger side of his police unit. Officer Bowman hears noises that make him believe that one or both of the suspects are about to come out the back door and he announces that over his radio. Devin Contreras, in the red hoodie, is then seen kicking the door open and coming out quickly on the landing outside the door. Officer Bowman yells at Contreras as he exits, "let me see your hands." Contreras turns and raises both hands and points a gun at Officer Bowman in a shooting stance and jumps off the landing. The officer begins firing at Contreras, who goes to the ground, face down.

Officer Bowman fired 14 rounds and hit Contreras four times. EMS was called, but officers were not immediately able to render assistance to Contreras because the other suspect was still at large and believed to be inside the store posing a threat to the police.

When officers were able to move Contreras, they discovered a loaded pistol beneath his body. Further investigation revealed the pistol was stolen during a string of storage unit burglaries just hours prior to Contreras being shot. In all, 32 storage units were reported burglarized at the location at 2201 South Pleasant Valley Road. Several guns were stolen from one of the units and the pistol found under Contreras was positively identified by the owner as one of the guns taken in the burglary of his storage unit.

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The other suspect was not found at the scene, but was later apprehended and arrested in an apartment near the Big Lots store. He was identified as John Michael Rodriguez, a 19 year old Hispanic male, who was living with Contreras and his mother at the time.

As I said earlier, the shooting of Devin Contreras was captured by the in-car camera of Officer Bowman. It was also captured by another officer's in-car camera, Officer Jason Day, who was just driving into the alley as the shooting occurred.

Today we are releasing to you various documents related to the investigation and a composite video containing five parts. On the video you will see a section marked "Neils" which shows two of the first responding officers, Neils and Chandler, at the front of the Big Lots. The second part contains excerpts of in-store surveillance video, showing the subjects in the red hoodie and gray hoodie, inside the Big Lots. The third part is Officer Bowman's in-car video as he arrives and as Devin Contreras exits the store and is shot. The fourth is video from Officer Day's in-car video as he arrives in the alley. It also captures the shooting of Contreras, from a distance. The fifth part is a side by side taping of the two cameras, Bowman's and Day's, both capturing the shooting incident.

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